

REMARKS

Claims 1-2, 5-7, 10-13, 16-19, 22-25, 27-29, 31-34, 36-39, 41-45, 47-50, 52-56, 58-62, 64- 67, 69-71, 73-76, 78-81, and 83-116 are in the application, of which Claims 1, 6, 12, 18, 24, 28, 33, 38, 43, 48, 54, 60, 66, 70, 75, 80, 85, 92, 101, 102, 103, and 104 are the independent claims. Claims 1, 6, 12, 18, 24, 28, 33, 38, 43, 48, 54, 60, 66, 69, 70, 73, 74, 75, 80, 83, 84, 85, 92, 95, 96, 98, 99, 101, 102, 103, and 104 are amended herein. Claims 3, 4, 8, 9, 14, 15, 20, 21, 26, 30, 35, 40, 46, 51, 57, 63, 68, 72, 77, and 82 were previously canceled without prejudice. New claims 112-116 are added herein. Reconsideration and further examination are respectfully requested.

No new matter is believed to have been introduced to the application by this amendment. The changes to the claims are fully supported by the original disclosure.

Claim Rejections – 35 USC § 102

Claims 1, 5-7, 10-13, 16-19, 22-25, 27-29, 31-34, 36-39, 41-44, 47-50, 52-56, 58-62, 64- 67, 69-71, 73-76, 78-81, and 83-104 are rejected under 35 U.S.C. §102 by U.S. Patent No. 6,466,972 (Paul); and Claims 1-2, 5-7, 10-13, 16-19, 22-25, 27-29, 31-34, 36-39, 41-45, 47-50, 52-56, 58-62, 64- 67, 69-71, 73-76, 78-81, and 83-111 are rejected under 35 U.S.C. §102 by U.S. Patent No. 7,395,324 (Murphy). These rejections are respectfully traversed, and reconsideration and withdrawal of these rejections are respectfully requested. Please note that while the Office Action states that Murphy is a 102(b) reference, it is not a 102(b) reference.

The applied references are not understood to disclose or suggest the features of claim 1, particularly with respect to at least the following features: a language agent configured to generate one or more encapsulations and to interpret one or more encapsulations. Similar features are provided in other independent claims.

The Office Action alleges at page 9 that Murphy discloses: “the language agent is configured to generate encapsulations and to interpret the encapsulations.” The Office Action refers to column 11, lines 66-67 to support this assertion. Applicant respectfully disagrees. Murphy’s column 11, lines 66-67, which continue to column 12, lines 1-2, state the following: “Server 306 suitably processes the information about client computer 202 and formats or obtains (step 324) an appropriate script that may be returned to client computer 202 as message 326.” Thus, Murphy server 306 may format or obtain an appropriate script that is returned to client computer 202. This, however, does not disclose or teach a language agent that generates one or more encapsulations as well as interprets one or more encapsulations.

As for claim 1, this language agent is provided by a second system to a first system, and this language agent is also configured to interpret the at least one specification, from the second system, for performing at least one computing task in the preboot execution environment, and configured to perform the at least one computing task specified, where the at least one specification from the second system is an encapsulation, encapsulating parameters to be resolved at the first system at execution time by the preboot execution language interpreter from the second system.

Paul does not remedy the foregoing deficiencies of Murphy.

Accordingly, the applied references are not understood to disclose, teach, or suggest the features of independent claims 1, 6, 12, 18, 24, 28, 33, 38, 43, 48, 54, 60, 66, 70, 75, 80, 85, 92, 101, 102, 103, and 104, which are believed to be in condition for allowance.

The other claims currently under consideration in the application are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, the individual consideration of each on its own merits is respectfully requested.

The absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be other reasons for patentability of any or all claims that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience. Applicant's undersigned attorney may be contacted at the address and telephone number set forth below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

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including extension of time fees, to Deposit Account 502203 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Soyeon (Karen) Pak Laub
Registration No. 39,266

18191 Von Karman Ave., Suite 500
Irvine, CA 92612-7108
Phone: 949.851.0633 SKL:lm
Facsimile: 949.851.9348
Date: March 4, 2009

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